

**COUNTY OF SOMERSET
OFFICE OF THE COUNTY COUNSEL**

21 North Bridge Street

P.O. Box 1034

Somerville, New Jersey 08876

(908) 685-0900 (SDR 1281)

Attorneys for Defendant Somerset County Sheriff Frank J. Provenzano, Sr.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THOMAS I. GAGE,	:	Civil Action No. 3:11-cv-00862-FLW-TJB
	:	
Plaintiff(s)	:	
	:	
vs.	:	
	:	
WELLS FARGO BANK, NA AS and	:	CERTIFICATION OF
SOMERSET COUNTY SHERIFF	:	THOMAS PRZYBYLSKI
FRANK J. PROVENZANO	:	
	:	
	:	
	:	
Defendants	:	
	:	

I, THOMAS PRZYBYLSKI, do hereby certify as follows:

1. I am employed as the Sheriff's Sales Coordinator with the Somerset County Sheriff's Office (hereinafter the "Sheriff's Office"). I have been employed with the Sheriff's Office since 1984 and involved with Sheriff's sales since 1991. I have served as the Sales Coordinator since 2005. I personally coordinated the Sheriff's sale forming the subject of this lawsuit and submit this Certification in support of the summary judgment motion filed on behalf of Defendant Somerset County Sheriff Frank J. Provenzano, Sr. (hereinafter "Sheriff Provenzano") filed in connection with the above-referenced matter.

2. The factual background pertaining to the Sheriff's sale forming the subject of this lawsuit

is as follows:

(a) By way of letter dated April 26, 2010, attorneys for Wells Fargo Bank (hereinafter “WFB”) forwarded to the Sheriff’s Office a Writ of Execution entered by Mary C. Jacobson, P.J.Ch. on April 13, 2010 covering the property “more commonly known as 51 Hillcrest Boulevard, Warren, New Jersey 07059” (hereinafter the “Subject Property”). Also by way of this cover letter, the original Affidavit of Consideration and Short Form Description was forwarded to the Sheriff’s Office as well. **(See April 26, 2010 cover letter together with Writ of Execution, Short Form Description and Affidavit of Consideration attached hereto at Exhibit A).**

(b) Following receipt of the foregoing documents, the Sheriff’s Office placed the appropriate sheriff’s sale advertisement in three (3) newspapers (Courier News, Recorder Publisher, and Somerset Spectator) on May 13, 2010, May 20, 2010, May 27, 2010, and June 3, 2010. **(See Sheriff’s Sale Advertisement and Publication Worksheet attached hereto at Exhibit B).**

(c) On May 14, 2010, Sheriff’s Officer Michael DeRosa posted the Sheriff’s Sale Advertisement along with the Writ of Execution on the front door of the residence located at the Subject Property. **(See Sheriff’s Office Posting Report attached hereto at Exhibit C).**

(d) On June 4, 2010 and June 18, 2010, Plaintiff Thomas Gage (hereinafter “Mr. Gage”) applied for and received adjournments of the Sheriff’s sale pertaining to the Subject Property. **(See Applications for Adjournment of Sheriff’s Sale dated June 4, 2010 and June 18, 2010 attached hereto at Exhibit D).**

(e) The Sheriff’s sale of the Subject Property took place on July 6, 2010 at which time a

WFB representative tendered the successful bid of \$461,000.00. **(See Sales Upset Report, Bidding Worksheet, Sales Worksheet, and executed Conditions of Sale Report attached hereto at Exhibit E).**

(f) By way of my letter dated September 15, 2010, I notified the attorneys for WFB of the amount due and owing the Sheriff's Office pursuant to the subject Sheriff's sale. **(See copy of September 15th letter attached hereto at Exhibit F).**

(g) On September 27, 2010, the Sheriff's Office received payment forwarded by the attorneys for WFB. **(See copy of September 15th letter and check stub attached hereto at Exhibit G).**

(h) On October 4, 2010, the Sheriff's Deed was executed covering title to the Subject Property. **(See copy of Sheriff's Deed attached hereto at Exhibit H).**

(i) On October 28, 2010, the realty transfer fee and Sheriff's Deed were presented to the Somerset County Court Clerk's Office for filing. **(See copy of County Clerk's Report, Payment Receipt and filed Sheriff's Deed attached hereto at Exhibit I).**

(j) On January 3, 2011, Sheriff's Office Andrew Mospack served Mr. Gage with a Writ of Possession at which time Mr. Gage refused to leave the Subject Property. **(See Civil Process Report attached hereto at Exhibit J).**

(k) Upon information and belief, Mr. Gage raised with the Court legal arguments concerning whether the Writ of Possession could be executed given the purported existence of a "tenancy" situation.

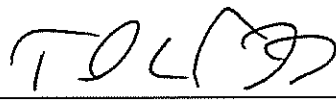
(l) By way of letter dated August 4, 2011, attorneys for WFB advised Mr. Gage concerning a scheduled eviction at the Subject Property. **(See copy of August 4, 2011 letter**

attached hereto at Exhibit K).

(m) On August 5, 2011 the Sheriff's Office received a Writ of Possession entered by Mary C. Jacobson, P.J.Ch. on August 2, 2011 with attached Certification to Support Issuance of Writ of Possession. (See **Writ of Possession entered by Judge Jacobson and Certification by Felicia Ekejiuba, Esq. attached hereto at Exhibit L**).

(n) On August 8, 2011, Judge Jacobson's Writ of Possession was executed at the Subject Property by representatives of the Sheriff's Office including myself. Also present were Officers from the Warren Township Police Department as well as Mr. Gage himself. (See **Civil Process Report attached hereto at Exhibit M**).

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

By: 
Name: Thomas Przybylski
Title: Sales Coordinator

Dated: 12/20/2011

EXHIBIT A

ALAN R. SUCH •
HENRY H. FEIN • •
PHILIP A. KAHN •
JAMES E. SHEPARD
GREGG P. TABAKIN • •
ERIC S. KAPNICK •
DEIRDRE R. WHEATLEY-LISS • •
VINCENT DIMAILO, JR. •
MARIO A. SERRA, JR.
PETER R. DAY (1957-1990)

FEIN, SUCH, KAHN & SHEPARD, P.C.

COUNSELLORS AT LAW

7 CENTURY DRIVE, SUITE 201
PARSIPPANY, NEW JERSEY 07054
(973) 538-9300

FACSIMILE (973) 538-8234

www.feinsuch.com

OF Counsel
DONALD A. RICHARDS • • •
SHARI SEFFER •
ROBERT WINTERS • • •
MICHAEL S. REUTER • • •
DOUGLAS S. CHARIPPER •
BRIAN KINCAID • •
HEIDI FEYLER •
STACEY C. MAIDEN

BRIAN P.S. McCABE
MICHAEL S. HANUSEK •
SAMIT PATEL •
RICHARD ZIMMERMAN
JOSHUA SEARS •
KRISTEN A. KLICS •
TAMMY TERRELL BENOZA •
STEVEN A. LOEB • • •
NANCY E. CAMPANOZZI • •
NICHOLAS J. CANOVA •
RAY A. LEBRON
DAVID J. LEVINE
ALVIN L. DARBY •
RICHARD D. FEMANO •
MELISSA LICKER • •
RICHARD A. GERBINO •
JESSICA A. BERRY
MONICA G. CHRISTIE •
DOLORES M. DE ALMEIDA
FELICIA EKEJIUBA •
DONNA M. MILLER
MAXIME H. BEAULIEU •
CHRISTOPHER KOOS
CHRISTINE GUARNERI •
SIMONE A. PERSAUD •

• ALSO MEMBER OF NY BAR
• ALSO MEMBER PA BAR
• ALSO MEMBER MD BAR
• ALSO MEMBER MA BAR
• ALSO MEMBER FL BAR
• MEMBER NY BAR ONLY
• ALSO MEMBER CT BAR
• LL.M IN TAXATION
• ALSO MEMBER U.S. TAX COURT
• ALSO MEMBER DC BAR
• CERTIFIED ELDER LAW ATTORNEY •
CERTIFIED BY THE SUPREME COURT OF
NEW JERSEY AS A CIVIL TRIAL
ATTORNEY

April 26, 2010

SHERIFF OF SOMERSET COUNTY
20 Grove St., PO Box 3000
Somerville, New Jersey 08876

RE: WELLS FARGO BANK, NA AS vs. THOMAS GAGE
COMPLAINT FILING DATE - 06/13/08
Docket No. F-22089-08
Our File No. FHQ668

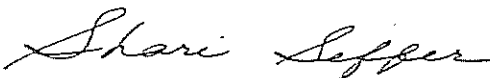
Dear Sir or Madam:

Enclosed herewith please find the Original and three (3) copies of the Writ of Execution, together with a check in the sum of \$1,300.00 representing the deposit for publication.

Please proceed to advertise this sale of the mortgaged premises and advise us of the sale date.

We are also enclosing the Original Affidavit of Consideration and short form description pursuant to N.J.S. 2A-61-1, for your use in advertising.

Very truly yours,



By: Shari Seffer

Enclosure
LAWYERS SERVICE

FEIN, SUCH, KAHN & SHEPARD, P.C.
7 Century Drive, Suite 201
Parsippany, New Jersey 07054
(973) 538-9300
FHQ668
Attorney for Plaintiff

ENTERED
ISSUED IN
OFFICE

DEPT. OF EXECUTIONS
COURT CLERK'S
6156 F10

WELLS FARGO BANK, NA AS TRUSTEE
UNDER POOLING AND SERVICING
AGEEMENT DATED AS OF JULY 1, 2006
SECURITIZED ASSET BACKED
RECEIVABLES LLC TRUST 2006-FR3
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-FR3

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION-
SOMERSET COUNTY

DOCKET NO.: F-22089-08

CIVIL ACTION

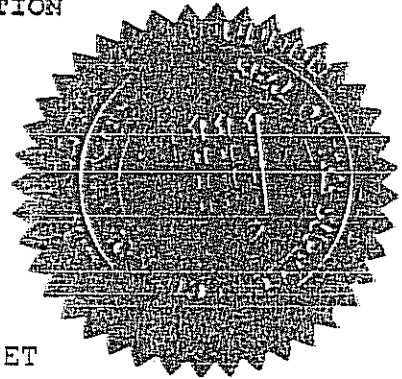
Plaintiff

WRIT OF EXECUTION

vs.

THOMAS GAGE, et als.

Defendant



The State of New Jersey

to the Sheriff of the County of SOMERSET

GREETINGS:

Whereas, on the following date:

April 12, 2010

by a certain Judgment in our Superior Court of New Jersey in a
certain cause pending, wherein the Plaintiff is;

WELLS FARGO BANK, NA AS TRUSTEE UNDER POOLING AND SERVICING
AGEEMENT DATED AS OF JULY 1, 2006 SECURITIZED ASSET BACKED
RECEIVABLES LLC TRUST 2006-FR3 MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-FR3

and the following named parties are the Defendants:

THOMAS GAGE
AMERICAN EXPRESS TRAVEL RELATED SERVICES
JAEGER LUMBER & SUPPLY CO., INC.
SUMMIT MEDICAL GROUP

When this Execution
and Return

10/14/10

LUCIA GAGE

it was ordered and adjudged that certain mortgaged premises, with the appurtenances, in the Complaint, in the said cause particularly set forth and described, that is to say:

The mortgaged premises are described as set forth upon the RIDER ANNEXED HERETO AND MADE A PART HEREOF.

Together, with all and singular the rights, liberties, privileges, hereditaments an appurtenances thereunto belonging or in any way appertaining, and the reversion and remainders, rents issues and profits thereof, and also all the estate, right, title interest, use, property, claim and demand of the said Defendants of, in, to and out of the same, be sold, to pay and satisfy in the first place unto the Plaintiff, the sum of \$814,646.32, being the principal and interest secured by a certain mortgage dated February 13, 2006 and given by THOMAS GAGE and LUCIA GAGE, together with lawful interest thereon from 09/01/08 ~~together with~~ ~~lawful interest thereafter on the total sum due plaintiff~~ until the same be paid and satisfied and also the costs of the aforesaid plaintiff, with interest thereon.

And for that purpose a Writ of Execution should issue directed to the Sheriff of the County of SOMERSET commanding him to make sale as aforesaid; and that the surplus money arising from such sale, if any there be, should be brought into our said Court, subject to the further order of the said Court, as by the said judgment remaining as of record in our said Superior Court

of New Jersey, at Trenton, doth and may more fully appear; and
 whereas, the costs of the said Plaintiff have been duly taxed at
 the following sum: \$ 8255.00

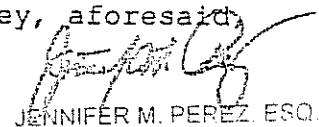
Therefore, you are hereby commanded that you cause a
 sale to be made of the premises aforesaid, by selling so much of
 the same as may be needful and necessary for the purpose, the
 said sum of \$814,646.32 and the same you do pay to the said
 Plaintiff together with lawful interest thereon as aforesaid, and
 the sum aforesaid of costs with interest thereon; and that you
 have the surplus money, if any there be, before our said Superior
 Court of New Jersey aforesaid, at Trenton, New Jersey, within
 thirty (30) days after sale; if no sale, writ returnable within
 twenty-four (24) months, pursuant to R. 4:59-1(a), to abide the
 further order of the said Court, according to the judgment
 aforesaid; by certificate under your hand, of the manner in which
 you have executed this writ, together with this writ.

Mary C. Jacobson, P.J. Ch.

WITNESS, the Honorable ~~MARIA MARINARI SYPER,~~

Judge of the Superior Court at Trenton, New Jersey, aforesaid,

this 13th day of April, 2010.


 JENNIFER M. PEREZ ESQ.
 Acting Clerk of Superior Court

BY: 
 Nicholas J. Canova

JENNIFER M. PEREZ

SCHEDULE "A"

All that certain tract or parcel of land and premises situate, lying and being in the Township of Warren, County of Somerset and State of New Jersey.

Also known as Tax Lot 18 in Block 86.01 on the Tax Assessment map of the Township of Warren.

More commonly known as 51 HILLCREST BLVD, WARREN, NJ, 07059.

BEING known and designated as Lot 50 as shown on map entitled "Map of Property situated in Warren Township, Somerset near the City of Plainfield, New Jersey, Property of the Kilco Realty and Improvement Company" filed on August 2, 1973 on Map No. 16-B.

FOR INFORMATIONAL PURPOSES ONLY: Also known as Lot 13 in Block 86.01 on the Township of Warren Tax Map.

SHORT FORM DESCRIPTION

The property to be sold is located in the Township of WARREN, County of SOMERSET and State of New Jersey.

Commonly known as: 51 HILLCREST BLVD, WARREN, NJ 07059.

Tax Lot No. 18 in Block No. 86.01

Dimension of Lot Approximately: 100X1955 4.4800

Nearest Cross Street: ISABELLA WAY

BEING known and designated as Lot 30 as shown on map entitled "Map of Property situated in Warren Township, Somerset near the City of Plainfield, New Jersey, Property of the Kline Realty and Improvement Company" filed on August 2, 1923 on Map No. 16-B.

FOR INFORMATIONAL PURPOSES ONLY: Also known as Lot 13 in Block 86.01 on the Township of Warren Tax Map.

"THE SHERIFF HEREBY RESERVES THE RIGHT TO ADJOURN THIS SALE WITHOUT FURTHER NOTICE THROUGH PUBLICATION."

PRIOR LIENS/ENCUMBRANCES

SEWER OPEN + PENALTY \$340.10

2007 SEWER 3RD PARTY LIEN SOLD ON 12/3/08, CERT # SS-964 \$663.85

TOTAL AS OF April 26, 2010:

\$1003.95

Surplus Money: If after the sale and satisfaction of the mortgage debt, including costs and expenses, there remains any surplus money, the money will be deposited into the Superior Court Trust Fund and any person claiming the surplus, or any part thereof, may file a motion pursuant to Court Rules 4:64-3 and 4:57-2 stating the nature and extent of that person's claim and asking for an order directing payment of the surplus money. The Sheriff or other person conducting the sale will have information regarding the surplus, if any.

NOTICE TO RESIDENTIAL TENANTS OF RIGHTS DURING FORECLOSURE

A FORECLOSURE ACTION HAS BEEN FILED CONCERNING 51 HILLCREST BLVD, WARREN, NJ 07059, AND THE OWNERSHIP OF THE PROPERTY MAY CHANGE AS A RESULT.

UNTIL OWNERSHIP OF THE PROPERTY CHANGES OR YOU ARE OTHERWISE INFORMED BY THE COURT OR THE MORTGAGE HOLDER, YOU SHOULD CONTINUE TO PAY RENT TO THE LANDLORD OR TO A RENT RECEIVER, IF ONE IS APPOINTED BY THE COURT. YOU SHOULD KEEP RECEIPTS OR CANCELED CHECKS OF YOUR RENT PAYMENTS. IF YOU ARE NOT SURE HOW OR WHERE TO PAY RENT, SAVE YOUR RENT MONEY SO THAT YOU WILL HAVE IT WHEN THE OWNER DEMANDS IT. NONPAYMENT OF RENT IS GROUNDS FOR EVICTION.

FORECLOSURE ALONE IS GENERALLY NOT GROUNDS TO REMOVE A BONA FIDE RESIDENTIAL TENANT. TENANTS WHO WANT TO STAY IN THEIR HOMES CAN BE REMOVED ONLY THROUGH A COURT PROCESS. WITH LIMITED EXCEPTIONS, THE NEW JERSEY "ANTI-EVICTION ACT" PROTECTS RESIDENTIAL TENANTS' RIGHTS TO REMAIN IN THEIR HOME. THIS LAW INCLUDES PROTECTION FOR TENANTS WHO DO NOT HAVE WRITTEN LEASES.

IT IS UNLAWFUL FOR ANYONE TO TRY TO FORCE YOU TO LEAVE YOUR HOME OUTSIDE THE COURT PROCESS, INCLUDING BY SHUTTING OFF UTILITIES OR FAILING TO MAINTAIN THE PREMISES.

[Note: Appendix XII-K adopted November 17, 2009 to be effective immediately.]

RECEIVED
JAN 10 2012
CLERK OF COURT
JAN 10 2012

(STATEMENT OF PRIOR MORTGAGES, LIENS OR ENCUMBRANCES) RECEIVED

FOR
SHERIFF'S DEEDS
(46:15-6.1)

2010 APR 29 AM 10:30

To Be Recorded With Deed Pursuant to c. 49, P.L. 1968, as amended, and c.225,P.L. 1979

STATE OF NEW JERSEY

SS:

COUNTY OF MORRIS

FOR RECORDER'S USE ONLY

Consideration \$ 461,000.00

Realty Transfer Fee \$ 3800.00

Date 10-29-10 By Am

IMPORTANT NOTE:

This form is to be attached to all Sheriff's Deeds not otherwise exempt pursuant to N.J.S.A. 46:15-10, when presented to the County Clerk or Register of Deeds for Recording. One of the following blocks MUST be checked:

☐ NO PRIOR MORTGAGES OR LIENS ARE OUTSTANDING.

☒ PRIOR MORTGAGES OR LIENS OUTSTANDING AND NOT EXTINGUISHED BY THIS SALE ARE AS LISTED IN SECTION 2 BELOW.

(1) PARTY OF LEGAL REPRESENTATIVE

WELLS FARGO BANK, NA AS TRUSTEE UNDER POOLING AND SERVICING AGEEMENT DATED AS OF JULY 1, 2006
SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2006-FR3 MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2006-FR3

(Plaintiff)

DOLORES DE ALMEIDA
(Legal Representative for Plaintiff)

("Legal representative" is to be interpreted broadly to include any person actively and responsibly participating in the transaction, such as but not limited to: an attorney representing one of the parties; an attorney representing one of the parties; a closing officer of a title company or lending institution participating in the transaction; a holder of power of attorney from plaintiff.)

(2) CONSIDERATION

Deponent states that, with respect to the deed hereto annexed, there follows the name or names of all mortgagees and other holders of encumbrances constituting "consideration" as defined in the act to which this act is a supplement (C.46:15-5 (c)), to which such sale shall be subject. Such prior mortgages, liens and encumbrances are as follows:

NAME OF SECURED PARTY

CURRENT AMOUNT DUE

2007 SEWER 3RD PARTY LIEN SOLD ON 12/3/08, CERT # SS-964

\$663.85

TOTAL AS OF April 26, 2010:

\$663.85

NOTE: The amount of consideration on which the Realty Transfer Fee shall be calculated shall include both the total listed above and the amount bid at the sale as set forth in the Sheriff's Deed.

Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of c.49, P.L. 1968, as amended, and c.225, P.L. 1979.

Subscribed and sworn to before me this
26th day of April, 2010

Name and address of Deponent

DOLORES DE ALMEIDA
FEIN, SUCH, KAHN & SHEPARD, P.C.
7 Century Drive, Suite 201
Parsippany, New Jersey 07054

A NJ ATTORNEY AT LAW

Nicholas J. Cancya
Attorney-at-Law
State of New Jersey

AMOUNT BID AT
SHERIFF'S SALE

\$ 461,000.00

FOR OFFICIAL USE ONLY

This space for use of County Clerk or Register of Deeds

Instrument Number _____ County _____
Deed Number _____ Book _____ Page _____
Deed Dated 4-23-10 Date Recorded 10-29-10

EXHIBIT B

**SHERIFF'S SALE
NO. 9328**

Between

WELLS FARGO BANK, NA as trustee under Pooling and Servicing Agreement Dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3

PLAINTIFF

vs.

THOMAS GAGE; AMERICAN EXPRESS TRAVEL RELATED SERVICES; JAEGER LUMBER & SUPPLY CO., INC.
SUMMIT MEDICAL GROUP; LUCIA GAGE

DEFENDANTS

Writ of Execution for sale of mortgaged premises.

By virtue of the above stated Writ of Execution to me directed and delivered I will expose for sale at public vendue on

TUESDAY THE 8th DAY OF JUNE, 2010

between the hours of two and five o'clock in the afternoon of said day, that is to say at 2:00 P.M. prevailing time at the Freeholders Meeting Room, Administration Building, 20 Grove Street, Somerville, New Jersey to wit:

All that tract or parcel of land, situate, lying and being in the Township of Warren, County of Somerset and State of New Jersey:

Being known as Tax Lot No. 18 in Block No. 86.01; Dimensions of property: (approximately) 100 feet by 1,955 feet; 4.48 Acres; Nearest Cross Street: Isabella Way. Being known and designated as Lot 50 as shown on map entitled "Map of Property situated in Warren Township, Somerset near the City of Plainfield, New Jersey, Property of the Kline Realty and Improvement Company" filed on August 2, 1923 on Map No. 16-B.

**PREMISES COMMONLY KNOWN AS:
51 HILLCREST BOULEVARD
WARREN, NEW JERSEY**

A more complete metes and bounds description can be found in the Office of the Somerset County Sheriff.

Subject to Sewer open plus penalty in the amount of \$340.10. Also subject to 2007 Sewer Third Party Lien Sold on 12/3/2008, Cert # SS-964 in the amount of \$663.85. Total as of April 26, 2010: \$1,003.95.

Together with all singular rights, liberties, privileges, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversion and remainders, rents, issues and profits thereto.

Surplus Money: If after the sale and satisfaction of the mortgage debt, including costs and expenses, there remains any surplus money, the money will be deposited into the Superior Court Trust Fund and any person claiming the surplus, or any part thereof, may file a motion pursuant to Court Rules 4:64-3 and 4:57-2 stating the nature and extent of that person's claim and asking for an order directing payment of the surplus money. The Sheriff or other person conducting the sale will have information regarding the surplus, if any.

Amount of Judgment to be satisfied \$814,646.32 plus interest, cost, printers' fees, Sheriff's fees and commission.

The purchaser shall pay 20% of purchase price at end of sale in cash, certified check, cashier's check or treasurer's check and sign acknowledgment of purchase. The Sheriff reserves the right to adjourn this sale for any length of time without further advertisement as provided for by law.

**FRANK J. PROVENZANO, SR.
SHERIFF**

DATED: April 13, 2010
Fein, Such, Kahn & Shepard, P.C.
7 Century Drive, Suite 201
Parsippany, New Jersey 07054-9751

9328

Docket # F-22089-08

Returnable: April 13, 2012

Judgement #

Division: Chancery

Type of Writ: General

County: Somerset

Type of Service: Posting

Received: May 07, 2010

Pltf Wells Fargo Bank, NA as trustee under Pooling and

Def Thomas Gage; et al

*Publications*Original Sale Date: June 08, 2010 1- 5/13 2- 5/20 3- 5/27 4- 6/3

Sale Date: _____ 1- _____ 2- _____ 3- _____ 4- _____

Sale Date: _____ 1- _____ 2- _____ 3- _____ 4- _____

<i>Publications</i>	1st	2nd	3rd	4th
Courier-News	\$ <u>263.80</u>	\$ _____	\$ _____	\$ _____
Recorder Publisher	\$ <u>214.92</u>	\$ _____	\$ _____	\$ _____
Somerset Spectator	\$ <u>568.00</u>	\$ _____	\$ _____	\$ _____
Totals:	\$ <u>1046.72</u>	\$ _____	\$ _____	\$ _____

Priors Sewer \$663.85

Damages: \$814,646.32 Costs: \$8,255.00 Mileage: Warren \$4.80 \$106.80
 Contract Interest From: To: Amt: \$0.00
 Contract Pct: 0.000% On: \$0.00 Lawful Interest From: September 01, 2008

Additional Sums: _____ \$ _____ Int From: _____
 _____ \$ _____ Int From: _____
 _____ \$ _____ Int From: _____
 _____ \$ _____ Int From: _____
 _____ \$ _____ Int From: _____
 _____ \$ _____ Int From: _____

Monies Received

Date: 5-7-10 Check No. 156687 Amount: \$ 1,300.00

Date: _____ Check No. _____ Amount: \$ _____

Date: _____ Check No. _____ Amount: \$ _____

EXHIBIT C

SHERIFF NUMBER S - 9328

Type of Service: Posting

Location of Service Lot No. 18 in Block 86.01 51 Hillcrest Boulevard Warren Office Use Only --- Letter: Notice:	Date of Service <i>5/11/10</i>	Name of Person Accepting
	Time of Service <i>1:55</i>	Position / Relationship
	<input checked="" type="checkbox"/> Served <input type="checkbox"/> Returned	Telephone Number and Extension

Instructions:

Friday, May 07, 2010

Post the attached advertisement and the copy of the writ on the property listed above.

Original Sale Date 6/8/2010

Attempt		Attempt		Attempt	
Status	Officer	Status	Officer	Status	Officer
Time	Date	Time	Date	Time	Date
Attempt		Attempt		Attempt	
Status	Officer	Status	Officer	Status	Officer
Time	Date	Time	Date	Time	Date

Bank	Money Due	Posting	Rent	Wage
Amount Levied Upon	Amount Levied Upon	Location of Posting	Amount of Rent / Month	Any Prior Garnishments
\$	\$	<i>From Dove</i>	\$	<input type="checkbox"/> No <input type="checkbox"/> Yes - Number _____

Officer Notes:

Wells Fargo Bank, NA as trustee under Pooling and

vs.

Plaintiff

Thomas Gage; et al

Defendant(s)

Sheriff's Officer

Fein, Such, Kahn & Shepard, P.C.

7 Century Drive, Suite 201

Parsippany NJ 07054-9751

Atty File: FHQ668

Attn: Shari Seffer, Esq.

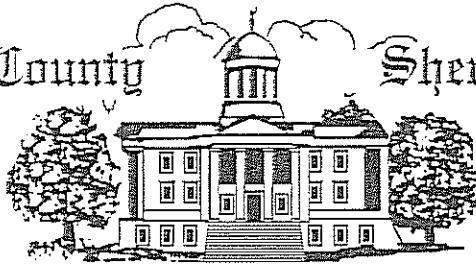
Attorney

[Signature]
Title Print Name Badge # *701*

EXHIBIT D

Somerset County

Sheriff's Office



JUNE 4, AM 9:51
 RECEIVED
 SOMERSET COUNTY, N.J.
 SHERIFF'S OFFICE

Frank J. Provenzano Sr.
 Sheriff
 (908) 231-7140

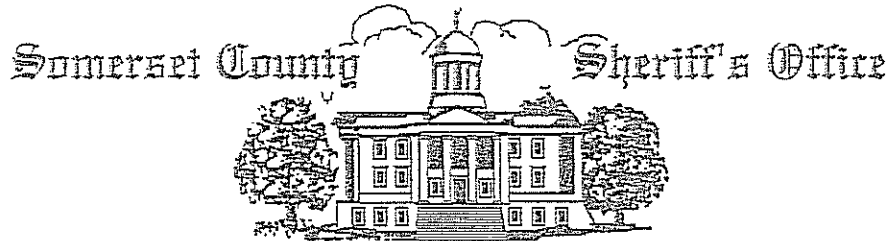
P.O. Box 3000, Somerville, New Jersey 08876-1262

Fax (908) 704-1817

Sales & Executions
 (908) 231-7144

Application for Adjournment of Sheriff Sale

Name <u>THOMAS GAGE</u>		Date of Application <u>6/4/10</u>
Street Address of Property <u>51 HILLCREST BLVD</u>		
Town or Township <u>WARREN</u>		Phone Number <u>(908) 419-0937</u>
Sale Number <u>9328</u>	Date of Sale <u>6/8/10</u>	Docket Number <u>F-22089-08</u>
Reason for Requesting Adjournment <u>PENDING LAWSUIT</u> <u>(SEE ATTCH DOCUMENT)</u>		
<div style="text-align: right; margin-top: 40px;"> Applicant's Signature </div>		
Office Use Only		
<input checked="" type="checkbox"/> 1 st Adjournment (\$28.00 fee) <input type="checkbox"/> 2 nd Adjournment (No fee)		Amount Received: <input checked="" type="checkbox"/> Cash: <u>\$28.00</u> <input type="checkbox"/> Check Number: _____
Sale Adjourned to: <u>June 22, 2010</u>		Comment: _____ _____ _____
Adjourned by: <u>Joseph M. Penick</u>		
<u>Admin Assistant</u>		



Frank J. Provenzano Sr.
Sheriff
(908) 231-7140

P.O. Box 3000, Somerville, New Jersey 08876-1262
Fax (908) 704-1817

Sales & Executions
(908) 231-7144

Application for Adjournment of Sheriff Sale

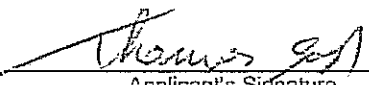
Name THOMAS I GAGE		Date of Application 6/18/2010	
Street Address of Property 51 HILLCREST BLVD			
Town or Township WARRE		Phone Number (908) 419-0937	
Sale Number 9328	Date of Sale 6/22/2010	Docket Number F-22089-08	
Reason for Requesting Adjournment THIS CASE IS BEEN APPEAL TO THE U.S. COURT. AND IS UNDER INVESTIGATION BY FEDERAL AUTHORITIES, ACCORDING TO "DUE PROCESS OF THE LAW"			
<div style="text-align: right;">  Applicant's Signature </div>			
Office Use Only			
<input type="checkbox"/> 1 st Adjournment (\$28.00 fee) <input checked="" type="checkbox"/> 2 nd Adjournment (No fee)		Amount Received: <input type="checkbox"/> Cash: _____ <input type="checkbox"/> Check Number: _____	
Sale Adjourned to:		Comment:	
Adjourned by:			

EXHIBIT E

Sales Upset Report

Tuesday, July 06, 2010

Number of Places: 1 Sale #: 9328 Date of sale: 7/6/20101st Place Damages: \$814,646.32Costs: \$8,255.002nd Place Damages: \$0.00Costs: \$0.00

Cont From:		To:	
Rate:	<u>0.000%</u>	On:	<u>\$0.00</u>
Per Diem:	<u>\$0.0000</u>	Amt	<u>\$0.00</u>
Law Int Frm:	<u>9/1/2008</u>	To:	<u>7/6/2010</u>
Per Diem:	<u>\$78.9083</u>	Amt	<u>\$84,758.84</u>
Re:		Amt	<u>\$0.00</u>

1st Pub: NJN: \$263.80Recorder: \$250.00SS: \$568.002nd Pub: NJN: \$0.00Recorder: \$0.00SS: \$0.00Additional Sums: \$0.00\$0.00Sheriff's Fees: \$187.00Additional Fees: \$4.80Sheriff's Comm: \$36,457.35Additional Comm: \$1,458.29Plaintiff Adj. Fee: \$0.00

Cont From:		To:	
Rate:	<u>0.00%</u>	On:	<u>\$0.00</u>
Per Diem:	<u>\$0.0000</u>	Amt	<u>\$0.00</u>
Law Int Frm:		To:	<u>7/6/2010</u>
Per Diem:	<u>\$0.0000</u>	Amt	<u>\$0.00</u>
Re:		Amt	<u>\$0.00</u>

Additional Sums: \$0.00Sheriff's Comm: \$0.00Additional Comm: \$0.00Total 1st Place: \$946,849.40Total 2nd Place: \$0.00Total Upset: \$946,849.40

461,000.00 441,221.48

*** Settled w/o Sale ***

Sheriff's Fees:	<u>\$102.00</u>
Additional Fees:	<u>\$4.80</u>
Publications:	<u>\$1,081.80</u>
1/2 Commission:	<u>\$18,228.68</u>
Pltf. Adj. Fee:	<u>\$0.00</u>
Total:	<u>\$19,417.28</u>
Deposit:	<u>\$1,300.00</u>
Due Sheriff:	<u>\$18,117.28</u>
Due Attorney:	<u>\$0.00</u>

*** 100.00 Sale ***

Sheriff's Fees:	<u>\$187.00</u>
Additional Fees:	<u>\$4.80</u>
Publications:	<u>\$1,081.80</u>
Commission:	<u>\$59.00</u>
Pltf. Adj. Fee:	<u>\$0.00</u>
Total:	<u>\$1,323.60</u>
Deposit:	<u>\$1,300.00</u>
Due Sheriff:	<u>\$23.60</u>
Due Attorney:	<u>\$0.00</u>

1046.72

18,540.00

19,778.52

Total Damages, Cost, Int - Add Sums in 1st, 2nd, and 3rd Places: \$907,660.16Amount of Redemption Before Sale: \$927,077.44Amount of Redemption After Sale: \$927,162.44Total Upset: \$946,849.40 Additional Sums: \$0.00 Priors Y/N ☐

Sale Number 9328

Date 7/6/10

No.	Person Bidding	Bidding For	Winning Bid
1	Jeff Wambers	PIT	461,000.00
2	Pradip Abusumilli - Murali Ab		
3			
4			
5			
6			
7			

No.	Amount	No.	Amount	No.	Amount	No.	Amount
1	\$ 100.00	1	362	1	425,000		
2	100,000	2	365	2	426,000		
1	101,000	1	366	1	430,000		
2	200,000	2	367	2	432,000		
1	201,000	1	370,000	1	433,000		
2	300,000	2	371,000	2	424		
1	201,000	1	375,000	1	435		
2	320,000	2	376,000	2	440		
1	321,000	1	380,000	1	441		
2	322,000	2	381,000	2	442		
1	323,000	1	385,000	1	445		
2	324,000	2	386,000	2	446		
1	325,000	1	387,000	1	449		
2	326,000	2	390,000	2	450		
1	320,000	1	399,000	1	451		
2	325,000	2	400,000	2	452		
1	340,000	1	401,000	1	453		
2	345,000	2	405,000	2	455		
1	350,000	1	410	1	457,000		
2	355,000	2	415,000	2	460,000		
1	360,000	1	416	1	461,000		
2	361,000	2	420,000	2			

DATE 1/6/10

START 2/16

FINISH 2/23

CONDITIONS OF SALE READ

AD READ

SUBJECT TO

X by ad.

UPSET

946,849.40

ADL'S SUMS

COMMENTS FROM:

Jeff Weinberg.

Sold 461,000 to P/R

Maurali Abusamir
also by

461,000⁰⁰/₁₀₀

and We -- I promise and agree to comply with the conditions of Sale.

Deed In Name of: SEE ATTACHED

Address: _____

Daytime Phone Number: _____



Deed Assigned



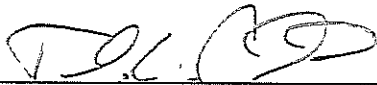
Deed Not Assigned

~~~~~

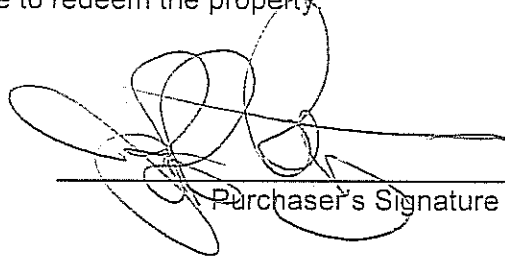
#### CONDITIONS OF SALE

The conditions of the sale of the Real Estate mentioned and described in the printed advertisement hereto annexed, made the 6th of July, A.D. 2010, by me, Thomas L. Przybylski, Sales Coordinator of the Office of the Sheriff of Somerset County, New Jersey, are as follows, to wit:

1. The highest bidder to be the purchaser.
2. The purchaser will pay 20% of the purchase price at the end of the sale and sign acknowledgement of purchase. The 20% must be in cash, certified check, cashier's check, treasurer's check or money order.
3. If the purchaser fails to comply with any of the conditions of the sale the property will be sold a second time, the former purchaser being held responsible for all losses and expenses, including but not limited to Sheriff's fees and Sheriff's commission and attorney's fees incurred by the Sheriff's Office, but receiving no benefit from such sale.
4. Sold subject to restrictions of record, which are unknown to me and to unpaid taxes or assessments and such state of facts as an accurate survey would disclose.
5. Deed to be delivered at Sheriff's office one month from date of sale at which time the balance of purchase money will be required. Balance of purchase price may be paid at any time after the sale until the deed is delivered. Interest on balance is due from the 11th day after sale until final payment. Defendant has 10 days after the sale to redeem the property.



Thomas L. Przybylski, Sales Coordinator



Purchaser's Signature

7-6-10

Date

ALAN F. SUCH\*  
 HENRY M. FEIN\*  
 PHILIP A. KAHN\*  
 JAMES E. SHEPARD  
 GREGORY TABAKIN\*  
 ERIC S. KAPRICK\*  
 DEIRDRE R. WHEATLEY-LEES\*  
 VINCENT DIAMOLA, JR.\*  
 MARIO A. NEIRA, JR.  
 PETER R. DAY (1957-1990)

**FEIN, SUCH, KAHN & SHEPARD, P.C.**  
 COUNSELLORS AT LAW

7 CENTURY DRIVE, SUITE 201  
 PARSIPPANY, NEW JERSEY 07054  
 (973) 538-9300

FACSIMILE (973) 538-8234

[www.feinsuch.com](http://www.feinsuch.com)

Of Counsel  
 DONALD A. RICHARDS\*  
 SHARI JEFFER\*  
 ROBERT WINTER\*  
 MICHAEL E. REUTER\*  
 DOUGLAS S. CHAMBER\*  
 BRIAN KENCAID\*  
 HEIDI FUGLER\*  
 STACEY C. MAIDEN

BRIAN F. MCCABE  
 MICHAEL S. HANUSEK\*  
 SAMIT PATEL\*  
 RICHARD THAMERMAN  
 JOSHUA SEARS\*  
 KURTEN A. KLICK\*  
 TANYA TERRELL BENOLA\*  
 STEVEN A. LOEB\*  
 NICHOLAS J. CANOVA\*  
 RAY A. LESRON  
 DAVID J. LEVINE  
 ALVIN L. DABBY\*  
 RICHARD D. FEMANO\*  
 MICHAEL S. LUCKER\*  
 RICHARD A. GERBINO\*  
 JESSICA A. BERRY  
 MONICA C. CHERITE\*  
 DOLORES M. DE ALMEIDA  
 FELICIA EKSTROM\*  
 DONNA M. MILLER  
 MAXINE H. BEAULIEU\*  
 CHRISTOPHER KOOS  
 CHRISTINE GUARNERI\*  
 SIMONE A. PERSAUD\*  
 FRANCIS J. GIAMALVO\*

\* ALSO MEMBER OF NY BAR  
 \* ALSO MEMBER PA BAR  
 \* ALSO MEMBER MD BAR  
 \* ALSO MEMBER MA BAR  
 \* ALSO MEMBER FL BAR  
 \* MEMBER NY BAR ONLY  
 \* ALSO MEMBER CT BAR  
 \* LL.M. IN TAXATION  
 \* ALSO MEMBER U.S. TAX COURT  
 \* ALSO MEMBER DC BAR  
 \* CERTIFIED ELDER LAW ATTORNEY  
 \* CERTIFIED BY THE SUPREME COURT  
 OF NEW JERSEY AS A CIVIL TRIAL  
 ATTORNEY

RAVI ABUSUMILLI

**SHERIFF SALE**

DATE: 07/06/10

TIME: 2:00 PM

RE: WELLS FARGO BANK, NA AS TRUSTEE UNDER POOLING AND SERVICING  
 AGREEMENT DATED AS OF JULY 1, 2006 SECURITIZED ASSET BACKED  
 RECEIVABLES LLC TRUST 2006-FR3 MORTGAGE PASS-THROUGH CERTIFICATES,  
 SERIES 2006-FR3 VS. THOMAS GAGE

FILE NO: FRO668

DOCKET NO: F-22089-08

SHERIFF NO: 9328

PROPERTY LOCATION: 51 HILLCREST BLVD, WARREN, NJ 07059

1. Before you leave for the sale, have Laura A. Harlos of our office contact the SHERIFF OF SOMERSET COUNTY to see if the sale is still on, adjourned or a bankruptcy filed.
2. Read Announcements a through e, for f.
3. You are to start the bidding at \$100.00 and stop bidding at \$580,000.00, the maximum bidding amount.

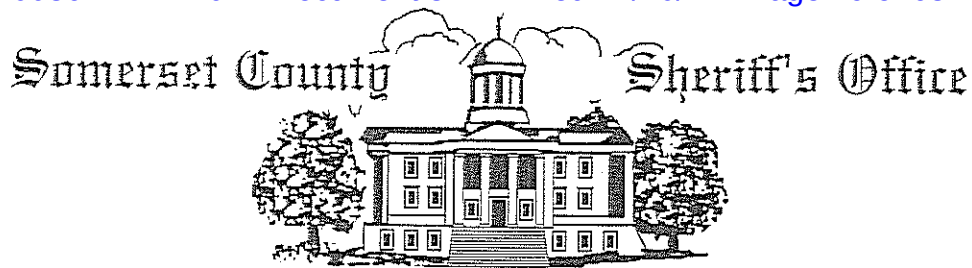
FIVE HUNDRED EIGHTY THOUSAND AND XX/100 DOLLARS

4. If you are the successful bidder, you will be asked to sign some papers; Deed to read: WELLS FARGO BANK, NA AS TRUSTEE UNDER POOLING AND SERVICING AGREEMENT DATED AS OF JULY 1, 2006 SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2006-FR3 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-FR3, 4837 WATT AVE NORTH HIGHLANDS, CA 95660

5. SUBJECT TO OPEN SEWER IN THE AMOUNT OF \$516.61 PLUS PENALTY AND FINAL READING.  
 SUBJECT TO A THIRD PARTY LIEN IN THE AMOUNT OF \$669.85 PLUS SUBSEQUENT INTEREST AND TAXES; CERT # SS-964

*[Handwritten signature]*

## **EXHIBIT F**



Frank J. Provenzano Sr.  
Sheriff  
(908) 231-7140

P.O. Box 3000, Somerville, New Jersey 08876-1262  
Fax (908) 704-1817

Sales & Executions  
(908) 231-7144

September 15, 2010

Fein, Such Kahn & Shepard, PC  
7 Century Drive  
Parsippany, NJ 07054  
Attn: Angela Kwon  
FX 1-973-267-9998

Re: Sheriff Sale Number 9328  
Wells Fargo Bank  
Vs. Thomas Gage, et al  
Docket No. F-22089-08

Dear Ms. Kwon:

Regarding the above captioned sale, listed below are the figures for your records:

|                           |                  |
|---------------------------|------------------|
| Publications .....        | \$1,046.72       |
| Sheriff's Fees .....      | 191.80           |
| Commission .....          | <u>18,540.00</u> |
| .....                     | \$19,778.52      |
| Deposit .....             | <u>1,300.00</u>  |
| Balance due Sheriff ..... | \$18,478.52      |

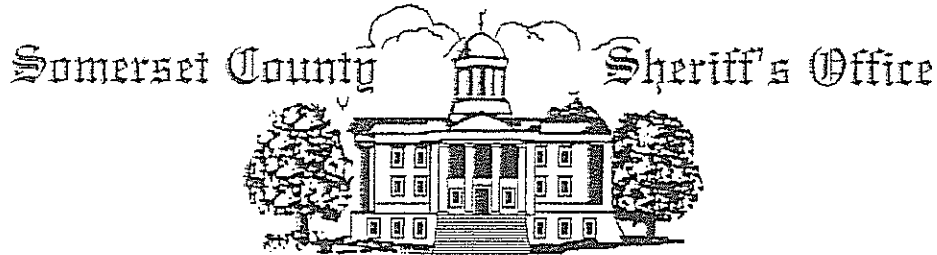
Upon receipt of balance due Sheriff, the Deed and Report of Sale will be mailed to you.

Very truly yours,  
FRANK J. PROVENZANO, SR.  
SHERIFF

Thomas L. Przybylski  
Sales Coordinator

TLP/med

## **EXHIBIT G**



Frank J. Provenzano Sr.  
Sheriff  
(908) 231-7140

P.O. Box 3000, Somerville, New Jersey 08876-1262  
Fax (908) 704-1817

Sales & Executions  
(908) 231-7144

Fein, Such Kahn & Shepard, PC  
7 Century Drive  
Parsippany, NJ 07054  
Attn: Angela Kwon  
FX 1-973-267-9998

September 15, 2010

Re: Sheriff Sale Number 9328  
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Docket No. F-22089-08

Dear Ms. Kwon:

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| .....                     | \$19,778.52      |
| Deposit.....              | <u>1,300.00</u>  |
| Balance due Sheriff ..... | \$18,478.52      |

Upon receipt of balance due Sheriff, the Deed and Report of Sale will be mailed to you.

Very truly yours,  
FRANK J. PROVENZANO, SR.  
SHERIFF

Thomas L. Przybylski  
Sales Coordinator

TLP/med

SHERIFF'S OFFICE  
SOMERSET COUNTY, NJ  
RECEIVED  
2010 SEP 27 AM 9:31

FEIN, SUCH, KAHN & SHEPARD, P.C.  
CLIENT COST

170483

Check Date: 9/23/2010      Vendor: Sheriff, Somerset County  
20 Grove Street  
PO Box

Description:  
FHQ 0668\*9328

269358

Check  
Amount:  
\$18,478.52

09/23/2010

SHERIFF'S OFFICE  
SOMERSET COUNTY, NJ  
RECEIVED  
2010 SEP 27 AM 9:37

Invoice No.:

Invoice Date:

Bank Account: Cost Account



**EXHIBIT H**

## To All Persons to whom these Presents shall come, or whom they may Concern:

I, Frank J. Provenzano, Sr., Sheriff of the County of Somerset in the State of New Jersey, send greetings:

WHEREAS, on the Thirteenth day of April, in the year of Our Lord Two Thousand Ten, a certain Writ of Execution was issued out of the **Superior Court of New Jersey-Chancery Division-Somerset County-Docket No. F-22089-08** directed and delivered to the Sheriff of the said County of Somerset, and which said writ is in the words or to the effect following, that is to say:

NEW JERSEY, to wit: THE STATE OF NEW JERSEY to the Sheriff of the County of Somerset, GREETING:

WHEREAS, on the following date, April 13, 2010, by a certain judgment in our Superior Court of New Jersey, in a certain cause therein pending, wherein the plaintiff is Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3, and the following named parties are the defendants: Thomas Gage; American Express Travel Related Services; Jaeger Lumber & Supply Co., Inc.; Summit Medical Group; Lucia Gage, it was ordered and adjudged that certain mortgaged premises, with the appurtenances, in the Complaint in the said cause particularly set forth and described, that is to say:

All that certain tract or parcel of land situate, lying and being in the Township of Warren, County of Somerset and State of New Jersey, more particularly described as follows:

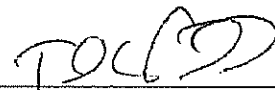
Also known as Tax Lot 18 in Block 86.01 on the Tax Assessment map of the Township of Warren.

More commonly known as 51 Hillcrest Blvd., Warren, NJ 07059.

Being known and designated as Lot 50 as shown on map entitled "Map of Property situated in Warren Township, Somerset near the City of Plainfield, New Jersey, Property of the Kline Realty and Improvement Company" filed on August 2, 1923 on Map No. 16-B.

10/14/10  
To City

Deed prepared by:



Thomas L. Przybylski  
Sales Coordinator

TOGETHER with all and singular the rights, liberties, privileges, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and remainders, rents, issues and profits thereof, and also all of the estate, right, title, interest, use, property, claim, and demand of the said defendants of, in, to and out of the same, be sold, to pay and satisfy in the first place unto the plaintiff, the sum of \$814,646.32, being the principal and interest secured by a certain mortgage dated February 13, 2006 and given by Thomas Gage and Lucia Gage, together with lawful interest from 9/1/08, until the same be paid and satisfied and also the costs of the aforesaid plaintiff, with interest thereon.

And that, for that purpose a Writ of Execution should issue, directed to the Sheriff of the County of Somerset, commanding him to make sale as aforesaid; and that the surplus money arising from such sale, if any there be, should be brought into said court, subject to the further order of the said court, as by the said judgment remaining as of record in our Superior Court of New Jersey at Trenton, doth and may more fully appear; and whereas, the costs of the said Plaintiff have been duly taxed at the following sum: \$8,255.00.

THEREFORE, you are hereby commanded that you cause to be made of the premises aforesaid by selling so much of the same as may be needful and necessary for the purpose, the said sum of \$814,646.32 and the same you do pay to the said plaintiff together with lawful interest thereon as aforesaid, and the sum aforesaid of costs with interest thereon, and that you have the surplus money, if any there be, before the Superior Court of New Jersey, aforesaid at Trenton, within thirty (30) days after sale and if there be no sale, this Writ to be returnable within twenty-four (24) months pursuant to R. 4:59-1(a); and to abide the further Order of said court, according to the judgment aforesaid; and you are to make return at the time and place aforesaid, by certificate under your hand, of the manner in which you have executed this our Writ, together with this Writ.

WITNESS, the HONORABLE Mary C. Jacobson, P.J.Ch. of the Superior Court, at Trenton, aforesaid, this 13th of April, 2010.

/s/ Jennifer M. Perez  
JENNIFER M. PEREZ  
Acting Clerk of Superior Court

By: /s/ Nicholas J. Canova  
NICHOLAS J. CANOVA

AS by the Record of said Writ of Execution entered in the Records of Executions issued in the Superior Court Clerk's Office, 6156F-10, and examined by me.

/s/ Jennifer M. Perez  
JENNIFER M. PEREZ  
Acting Clerk of Superior Court

AND WHEREAS, I, the said Frank J. Provenzano, Sr., as such Sheriff, as aforesaid, did in due form of law, advertise the said lot of land and premises to be sold under and by virtue of the said writ of execution at public vendue, to be held at the Sheriff's Office in Somerville, New Jersey, on TUESDAY, the 8th day of June, 2010,\* at two o'clock P.M. prevailing time of said day by advertisement signed by myself, and posted in the Sheriff's Office and also on the property which was in the Township of Warren in which the said land lies, at least three weeks next before the time appointed for selling the same, and also published in the Courier News, Somerset Spectator and Echoes-Sentinel, three newspapers printed and published in the said County, where the said land is situated, and circulating in the neighborhood of said land, for at least four weeks, successively, once in each week next preceding the said time one of which said newspapers is printed and published in Franklin the most populated Municipality of said County.

\*Sale originally scheduled for Tuesday,  
June 8, 2010, but was adjourned  
until Tuesday, July 6, 2010,  
and held at that time.

at which last-named time and place I did accordingly offer and expose the said lot of land and premises for sale at public vendue, under and by virtue of the said writ of Execution.

WHEREUPON: Jeffrey Weinberg, bidding for Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3, 4837 Watt Avenue, North Highlands, CA 95660, did bid the sum of Four Hundred Sixty-one Thousand Dollars and No Cents (\$461,000.00) on its behalf and no other person bidding as much, I did then and there openly and publicly, in due form of law, between the hours of two and five in the afternoon, strike off and sell the said lot of land and premises for the said sum of Four Hundred Sixty-one Thousand Dollars and No Cents (\$461,000.00) to the said Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3, 4837 Watt Avenue, North Highlands, CA 95660, being then and there the highest bidder for the same.

NOW, THEREFORE, KNOW YE, that I the said Frank J. Provenzano, Sr., as such Sheriff aforesaid, under and by virtue of said Writ of Execution, and in execution of the power and trust in me reposed, and also for and in consideration of the said sum of Four Hundred Sixty-one Thousand Dollars and No Cents (\$461,000.00) to me in hand paid, the receipt whereof I do hereby acknowledge and therefrom acquit, exonerate and forever discharge the said

Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3

its successors and assigns, heirs, executors and administrators, have granted, bargained, sold, assigned, transferred and conveyed, and by these presents do grant, bargain, sell, assign, transfer, and convey unto the said

Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3

its successors and assigns, heirs and assigns, all and singular, the said lot of land and premises, with the appurtenances, privileges and hereditaments thereto belonging or in anyway appertaining: TO HAVE AND TO HOLD the same unto the said

Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3

its successors and assigns, heirs and assigns, to its only proper use, benefit and behoof forever, in as full, ample and beneficial a manner as by virtue of the said Writ of Execution, I may, can, or ought to convey the same.

And I, the said Frank J. Provenzano, Sr., for myself, my heirs, executors and administrators, do hereby covenant, promise and agree to with the said

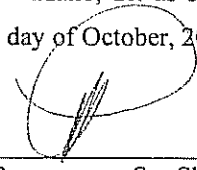
Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3

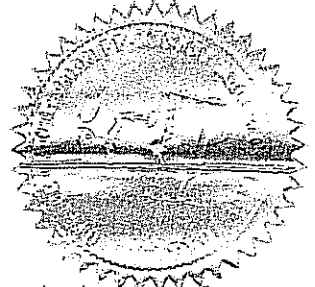
its successors and assigns, heirs and assigns, that I have not, as such Sheriff aforesaid, done or caused, suffered or procured to be done, any act, matter or thing whereby the estate hereby intended to be conveyed in and to the said lot of land and premises, with the appurtenances, is, may, or can be changed, charged, encumbered or defeated in any way whatever.

IN WITNESS WHEREOF, I, the said Frank J. Provenzano, Sr. as such Sheriff aforesaid, have hereunto set my hand and seal this Fourth day of October, 2010.

Signed, sealed and delivered  
in the presence of

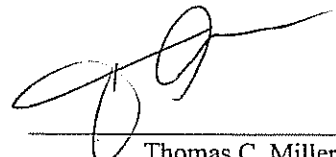
  
\_\_\_\_\_  
Thomas C. Miller

  
\_\_\_\_\_  
Frank J. Provenzano, Sr., Sheriff (L.S.)

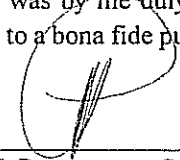


NEW JERSEY, SOMERSET COUNTY, ss.

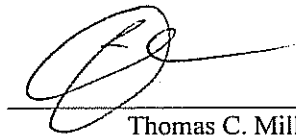
On this Fourth day of October, 2010 before me, the subscriber, An Attorney at Law of New Jersey, personally appeared Frank J. Provenzano, Sr., Sheriff of the County of Somerset aforesaid, who is I am satisfied, the grantor in the within indenture named, and I having first made known to him the contents thereof he did thereupon acknowledge that he sign, sealed and delivered the same as his voluntary act and deed, for the use and purposes therein expressed, and the full and actual consideration paid or to be paid for the transfer of title to realty evidenced by the within deed, as such consideration is defined in P.L. 1968, c 40, Sec. 1 (c) is \$461,000.00.

  
\_\_\_\_\_  
Thomas C. Miller  
An Attorney at Law of New Jersey

I, Frank J. Provenzano, Sr., Sheriff of the County of Somerset, State of New Jersey do solemnly swear that the land and real estate described in this deed made by me to Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3, 4837 Watt Avenue, North Highlands, CA 95660, was by me sold by virtue of a good and subsisting execution, as is therein recited, that the money ordered to be made has not been, to my knowledge or belief, paid or satisfied; that the time and place of the sale of said land and real estate was by me duly advertised as required by law, and that the same was cried off and sold to a bona fide purchaser for the best price that could be obtained.

  
\_\_\_\_\_  
Frank J. Provenzano, Sr., Sheriff

Sworn before me, An Attorney at Law of New Jersey, on this Fourth day of October in the year of our Lord, Two Thousand and Ten. And I do certify that I have examined the above deed mentioned, and do approve the same and order it to be recorded as a good and sufficient conveyance of the lands and real estate therein described.

  
\_\_\_\_\_  
Thomas C. Miller  
An Attorney at Law of New Jersey

Sale No. 9328

# Deed

**Frank J. Provenzano, Sr.**  
**Sheriff of Somerset County**  
**To**

Wells Fargo Bank, NA as Trustee under  
Pooling and Servicing Agreement dated as of  
July 1, 2006 Securitized Asset Backed  
Receivables LLC Trust 2006-FR3 Mortgage  
Pass-Through Certificates, Series 2006-FR3  
4837 Watt Avenue  
North Highlands, CA 95660

Consideration \$461,000.00  
Dated, October 4, 2010

Received in the Clerk's Office of the  
County of Somerset, on the \_\_\_\_ day  
of \_\_\_\_, 201 \_\_\_\_  
at \_\_\_\_ and recorded  
in Book \_\_\_\_ of Deeds for  
said County, Page \_\_\_\_

\_\_\_\_\_  
Clerk.



Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3

*Plaintiff*

*and*

Thomas Gage; American Express Travel Related Services;  
Jaeger Lumber & Supply Co., Inc.; Summit Medical Group;  
Lucia Gage

*Defendants*

**Returnable** April 13, 2012

Fein, Such, Kahn & Shepard, PC  
7 Century Drive, Suite 201  
Parsippany, NJ 07054

**Docket No.** F-22089-08

|                                                |                     |
|------------------------------------------------|---------------------|
| <b>1st Place Damages</b>                       | \$ 814,646.32       |
| <b>Cost Taxed at:</b>                          | 8,255.00            |
| <b>Contract Interest From:</b> To: @ on        |                     |
| <b>Lawful Interest From:</b> 9/1/08 To: 7/6/10 | 84,758.84           |
| <b>Additional Sums:</b>                        | 0                   |
| <b>2nd Place Damages</b>                       |                     |
| <b>Cost Taxed at:</b>                          |                     |
| <b>Contract Interest From:</b> To: @ on        |                     |
| <b>Lawful Interest From:</b> To:               |                     |
| <b>3rd Place Damages</b>                       |                     |
| <b>Cost Taxed at:</b>                          |                     |
| <b>Contract Interest From:</b> To: @ on        |                     |
| <b>Lawful Interest From:</b> To:               |                     |
| <b>Total</b>                                   | <b>\$907,660.16</b> |

By virtue of the above stated writ of Execution to me directed, I did sell at public vendue, at the Administration Building, in Somerville on July 6, 2010 pursuant to advertisement, all that tract or parcel of land and premises, described in said writ to Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3, 4837 Watt Avenue, North Highlands, CA 95660, represented by Jeffrey Weinberg, being the highest bidder for the same.

|                                     |                     |
|-------------------------------------|---------------------|
| <b>Property sold for</b>            | <b>\$461,000.00</b> |
| <b>Sheriff's Fees</b>               |                     |
| Levy and return .....               | 54.80               |
| Posting Sale Notices .....          | 20.00               |
| Advertising Property For Sale ..... | 20.00               |
| Selling .....                       | 5.00                |
| Statement .....                     | 10.00               |
| Deed .....                          | 75.00               |
| Certifying to Deed .....            | 1.50                |
| Postage & Additional Copies .....   | 5.50                |
| Adjournment .....                   | 0                   |
| Commission .....                    | 18,540.00           |
| Printers Bill .....                 | 1,046.72            |
| <b>Total</b>                        | <b>\$19,778.52</b>  |
| <b>To Plaintiff .....</b>           | <b>\$441,221.48</b> |
| <b>To Superior Court .....</b>      | <b>0</b>            |

This is to Certify, That the above statement is correct, that I did duly advertise and sell the property described in the above stated execution, as required by law, and the proceeds of said sale, after deducting therefrom Sheriff's Fees, amount to the sum of NONE.

Somerville, New Jersey

July 6, 2010

Frank J. Provenzano, Sr., Sheriff

**Sale No. 9328**

Superior Court of New Jersey

Docket No. F-22089-08

*Between*

Wells Fargo Bank, NA as Trustee under  
Pooling and Servicing Agreement dated  
as of July 1, 2006 Securitized Asset  
Backed Receivables LLC Trust 2006-  
FR3 Mortgage Pass-Through  
Certificates, Series 2006-FR3

*Plaintiff*

*vs.*

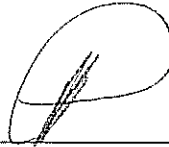
Thomas Gage; American Express Travel  
Related Services; Jaeger Lumber &  
Supply Co., Inc.; Summit Medical  
Group; Lucia Gage

*Defendants*

Fein, Such, Kahn & Shepard, PC  
7 Century Drive, Suite 201  
Parsippany, NJ 07054

State of New Jersey }  
County of Somerset } s.s.

I, Frank J. Provenzano, Sr., of full age, being duly sworn on my oath according to law depose and say that the statement is correct, that I did duly advertise and sell the land and premises described in the above stated execution, as required by law to Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3, 4837 Watt Avenue, North Highlands, CA 95660 for the sum of Four Hundred Sixty-one Thousand Dollars and No Cents (\$461,000.00) cash, and that sum was the highest and best price that such lands and premises would bring in cash at the time of sale.



Frank J. Provenzano, Sr., Sheriff

Sworn and Subscribed to before me

this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_

\_\_\_\_\_  
Notary Public of New Jersey

(STATEMENT OF PRIOR MORTGAGES, LIENS OR ENCUMBRANCES)  
FOR

## SHERIFF'S DEEDS

(46:15-6.1)

To Be Recorded With Deed Pursuant to c. 49, P.L. 1968, as amended, and c.225, P.L. 1979

STATE OF NEW JERSEY

SS:

COUNTY OF MORRIS

## FOR RECORDER'S USE ONLY

Consideration \$ \_\_\_\_\_

Realty Transfer Fee \$ \_\_\_\_\_

Date \_\_\_\_\_

By \_\_\_\_\_

Date \_\_\_\_\_

By \_\_\_\_\_

## IMPORTANT NOTE:

This form is to be attached to all Sheriff's Deeds not otherwise exempt pursuant to N.J.S.A. 46:15-10, when presented to the County Clerk or Register of Deeds for Recording. One of the following blocks MUST be checked:

☐ NO PRIOR MORTGAGES OR LIENS ARE OUTSTANDING.

☒ PRIOR MORTGAGES OR LIENS OUTSTANDING AND NOT EXTINGUISHED BY THIS SALE ARE AS LISTED IN SECTION 2 BELOW.

## (1) PARTY OF LEGAL REPRESENTATIVE

WELLS FARGO BANK, NA AS TRUSTEE UNDER POOLING AND SERVICING AGREEMENT DATED AS OF JULY 1, 2006  
SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2006-FR3 MORTGAGE PASS-THROUGH CERTIFICATES,  
SERIES 2006-FR3

(Plaintiff)

DOLORES DE ALMEIDA  
(Legal Representative for Plaintiff)

("Legal representative" is to be interpreted broadly to include any person actively and responsibly participating in the transaction, such as but not limited to: an attorney representing one of the parties; an attorney representing one of the parties; a closing officer of a title company or lending institution participating in the transaction; a holder of power of attorney from plaintiff.)

## (2) CONSIDERATION

Deponent states that, with respect to the deed hereto annexed, there follows the name or names of all mortgagees and other holders of encumbrances constituting "consideration" as defined in the act to which this act is a supplement (C.46:15-5 (c)), to which such sale shall be subject. Such prior mortgages, liens and encumbrances are as follows:

NAME OF SECURED PARTYCURRENT AMOUNT DUE2007 SEWER 3<sup>RD</sup> PARTY LIEN SOLD ON 12/3/08, CERT # SS-964

\$663.85

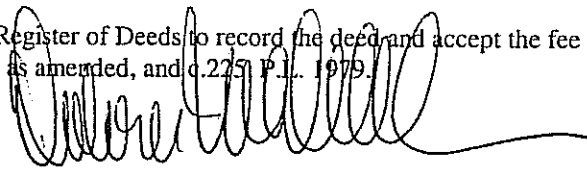
TOTAL AS OF April 26, 2010:

\$663.85

NOTE: The amount of consideration on which the Realty Transfer Fee shall be calculated shall include both the total listed above and the amount bid at the sale as set forth in the Sheriff's Deed.

Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of c.49, P.L. 1968, as amended, and c.225, P.L. 1979.

Subscribed and sworn to before me this  
26th day of April, 2010



Name and address of Deponent

A NJ ATTORNEY AT LAW

Nicholas J. Canova  
Attorney-at-Law  
State of New Jersey

DOLORES DE ALMEIDA  
FEIN, SUCH, KAHN & SHEPARD, P.C.  
7 Century Drive, Suite 201  
Parsippany, New Jersey 07054

AMOUNT BID AT  
SHERIFF'S SALE

\$ 461,000.00

## FOR OFFICIAL USE ONLY

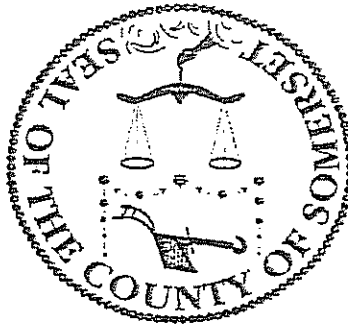
This space for use of County Clerk or Register of Deeds

Instrument Number \_\_\_\_\_ County \_\_\_\_\_

Deed Number \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

Deed Dated \_\_\_\_\_ Date Recorded \_\_\_\_\_

## **EXHIBIT I**



BRETT A. RADI  
SOMERSET COUNTY CLERK  
20 GROVE STREET  
P.O. BOX 3000  
SOMERVILLE, NJ 08876-1262

\*\*\*\*\*

Recorded: 10/28/2010 02:12:48 PM  
Book: GPR 6366 Page: 2898-2906  
Instrument No.: 2010050577  
DEED 9 PGS \$113.00  
CONSIDERATION: \$461,000.00  
EXEMPTION: OS  
NJ REALTY XFER FEE: \$3,800.60

Recorder: MOUTNER

\*\*\*\*\*

**DO NOT DISCARD**



2010050577

**SOMERSET COUNTY**  
**20 Grove Street**  
**SOMERVILLE, NJ 08876**  
**(908) 231-7006**

**Customer:** FEIN, SUCH, KAHN & SHEPARD PC

Page 1 of 1

Receipt #: 31832

Receipt Date: 10/28/2010

Report Date: 09/21/2011 11:56 AM

**Clerk:** AMOUTNER

Department: OPR

Work Station: CASH03

| Gf Number | Instrument No | Description        | Grantors                                                                                                                                                            | Grantees          | Pages         | Amount            |
|-----------|---------------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------------|-------------------|
|           | 2010050577    | NJ REALTY XFER FEE | GAGE THOMAS BYSHF<br>AMERICAN EXPRESS<br>TRAVEL RELATED SVCS<br>BYSHF<br>JAEGER LUMBER &<br>SUPPLY CO INC BYSHF<br>SUMMIT MEDICAL GROU<br>BYSHF<br>GAGE LUCIA BYSHF | WELLS FARGO BK NA | 0             | \$3,800.60        |
|           | 2010050577    | DEED               | GAGE THOMAS BYSHF<br>AMERICAN EXPRESS<br>TRAVEL RELATED SVCS<br>BYSHF<br>JAEGER LUMBER &<br>SUPPLY CO INC BYSHF<br>SUMMIT MEDICAL GROU<br>BYSHF<br>GAGE LUCIA BYSHF | WELLS FARGO BK NA | 8             | \$113.00          |
|           |               |                    |                                                                                                                                                                     |                   | <b>Total:</b> | <b>\$3,913.60</b> |

Duplicate

SOMERSET COUNTY  
20 Grove Street  
SOMERVILLE, NJ 08876  
(908) 231-7006

-----  
ISSUED TO:  
FEIN, SUCH, KAHN & SHEPARD PC  
-----

RECEIPT # 031832  
DATE 10/28/2010  
-----

| TIME           | BOOK | PAGE | FEE        |
|----------------|------|------|------------|
| 02:12 PM       | 6366 | 2898 | 2010050577 |
| DEED           |      |      | 113.00     |
| NJ REALTY XFER |      |      | 3,800.60   |

-----  
Total Due: \$3,913.60

|              |          |
|--------------|----------|
| CASH         | 0.60     |
| CHECK 172941 | 113.00   |
| CHECK 10277  | 3,800.00 |

-----  
Total Payments: \$3,913.60

THANK YOU  
BRETT A. RADI  
COUNTY CLERK  
Deputy: MOUTNER

**To All Persons to whom these Presents  
shall come, or whom they may Concern:**

I, Frank J. Provenzano, Sr., Sheriff of the County of Somerset in the State of New Jersey, send greetings:

WHEREAS, on the Thirteenth day of April, in the year of Our Lord Two Thousand Ten, a certain Writ of Execution was issued out of the Superior Court of New Jersey-Chancery Division-Somerset County-Docket No. F-22089-08 directed and delivered to the Sheriff of the said County of Somerset, and which said writ is in the words or to the effect following, that is to say:

NEW JERSEY, to wit: THE STATE OF NEW JERSEY to the Sheriff of the County of Somerset, GREETING:

WHEREAS, on the following date, April 13, 2010, by a certain judgment in our Superior Court of New Jersey, in a certain cause therein pending, wherein the plaintiff is Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3, and the following named parties are the defendants: Thomas Gage; American Express Travel Related Services; Jaeger Lumber & Supply Co., Inc.; Summit Medical Group; Lucia Gage, it was ordered and adjudged that certain mortgaged premises, with the appurtenances, in the Complaint in the said cause particularly set forth and described, that is to say:


All that certain tract or parcel of land situate, lying and being in the Township of Warren, County of Somerset and State of New Jersey, more particularly described as follows:

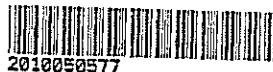
Also known as Tax Lot 18 in Block 86.01 on the Tax Assessment map of the Township of Warren.

More commonly known as 51 Hillcrest Blvd., Warren, NJ 07059.

Being known and designated as Lot 50 as shown on map entitled "Map of Property situated in Warren Township, Somerset near the City of Plainfield, New Jersey, Property of the Kline Realty and Improvement Company" filed on August 2, 1923 on Map No. 16-B.

Deed prepared by:

  
Thomas L. Przybylski  
Sales Coordinator



BRETT A. RAOI COUNTY CLERK  
SOMERSET COUNTY, NJ  
2010 OCT 28 02:12:48 PM  
BK:5366 PG:2890-2898  
CONS: 1481.000.00 REPORT: 05  
NJ XFER FEE: \$3,800.00  
INSTRUMENT # 2010050577



TOGETHER with all and singular the rights, liberties, privileges, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and remainders, rents, issues and profits thereof, and also all of the estate, right, title, interest, use, property, claim, and demand of the said defendants of, in, to and out of the same, be sold, to pay and satisfy in the first place unto the plaintiff, the sum of \$814,646.32, being the principal and interest secured by a certain mortgage dated February 13, 2006 and given by Thomas Gage and Lucia Gage, together with lawful interest from 9/1/08, until the same be paid and satisfied and also the costs of the aforesaid plaintiff, with interest thereon.

And that, for that purpose a Writ of Execution should issue, directed to the Sheriff of the County of Somerset, commanding him to make sale as aforesaid; and that the surplus money arising from such sale, if any there be, should be brought into said court, subject to the further order of the said court, as by the said judgment remaining as of record in our Superior Court of New Jersey at Trenton, doth and may more fully appear; and whereas, the costs of the said Plaintiff have been duly taxed at the following sum: \$8,255.00.

THEREFORE, you are hereby commanded that you cause to be made of the premises aforesaid by selling so much of the same as may be needful and necessary for the purpose, the said sum of \$814,646.32 and the same you do pay to the said plaintiff together with lawful interest thereon as aforesaid, and the sum aforesaid of costs with interest thereon, and that you have the surplus money, if any there be, before the Superior Court of New Jersey, aforesaid at Trenton, within thirty (30) days after sale and if there be no sale, this Writ to be returnable within twenty-four (24) months pursuant to R. 4:59-1(a); and to abide the further Order of said court, according to the judgment aforesaid; and you are to make return at the time and place aforesaid, by certificate under your hand, of the manner in which you have executed this our Writ, together with this Writ.

WITNESS, the HONORABLE Mary C. Jacobson, P.J.Ch. of the Superior Court, at Trenton, aforesaid, this 13th of April, 2010.

/s/ Jennifer M. Perez  
JENNIFER M. PEREZ  
Acting Clerk of Superior Court

By: /s/ Nicholas J. Canova  
NICHOLAS J. CANOVA

AS by the Record of said Writ of Execution entered in the Records of Executions issued in the Superior Court Clerk's Office, 6156F-10, and examined by me.

/s/ Jennifer M. Perez  
JENNIFER M. PEREZ  
Acting Clerk of Superior Court

AND WHEREAS, I, the said Frank J. Provenzano, Sr., as such Sheriff, as aforesaid, did in due form of law, advertise the said lot of land and premises to be sold under and by virtue of the said writ of execution at public vendue, to be held at the Sheriff's Office in Somerville, New Jersey, on TUESDAY, the 8th day of June, 2010,\* at two o'clock P.M. prevailing time of said day by advertisement signed by myself, and posted in the Sheriff's Office and also on the property which was in the Township of Warren in which the said land lies, at least three weeks next before the time appointed for selling the same, and also published in the Courier News, Somerset Spectator and Echoes-Sentinel, three newspapers printed and published in the said County, where the said land is situated, and circulating in the neighborhood of said land, for at least four weeks, successively, once in each week next preceding the said time one of which said newspapers is printed and published in Franklin the most populated Municipality of said County.

\*Sale originally scheduled for Tuesday,  
June 8, 2010, but was adjourned  
until Tuesday, July 6, 2010,  
and held at that time.

at which last-named time and place I did accordingly offer and expose the said lot of land and premises for sale at public vendue, under and by virtue of the said writ of Execution.

WHEREUPON: Jeffrey Weinberg, bidding for Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3, 4837 Watt Avenue, North Highlands, CA 95660, did bid the sum of Four Hundred Sixty-one Thousand Dollars and No Cents (\$461,000.00) on its behalf and no other person bidding as much, I did then and there openly and publicly, in due form of law, between the hours of two and five in the afternoon, strike off and sell the said lot of land and premises for the said sum of Four Hundred Sixty-one Thousand Dollars and No Cents (\$461,000.00) to the said Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3, 4837 Watt Avenue, North Highlands, CA 95660, being then and there the highest bidder for the same.

NOW, THEREFORE, KNOW YE, that I the said Frank J. Provenzano, Sr., as such Sheriff aforesaid, under and by virtue of said Writ of Execution, and in execution of the power and trust in me reposed, and also for and in consideration of the said sum of Four Hundred Sixty-one Thousand Dollars and No Cents (\$461,000.00) to me in hand paid, the receipt whereof I do hereby acknowledge and therefrom acquit, exonerate and forever discharge the said

→ Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3

its successors and assigns, heirs, executors and administrators, have granted, bargained, sold, assigned, transferred and conveyed, and by these presents do grant, bargain, sell, assign, transfer, and convey unto the said

→ Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3

its successors and assigns, heirs and assigns, all and singular, the said lot of land and premises, with the appurtenances, privileges and hereditaments thereto belonging or in anyway appertaining: TO HAVE AND TO HOLD the same unto the said

→ Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3

its successors and assigns, heirs and assigns, to its only proper use, benefit and behoof forever, in as full, ample and beneficial a manner as by virtue of the said Writ of Execution, I may, can, or ought to convey the same.

And I, the said Frank J. Provenzano, Sr., for myself, my heirs, executors and administrators, do hereby covenant, promise and agree to with the said

o Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3

its successors and assigns, heirs and assigns, that I have not, as such Sheriff aforesaid, done or caused, suffered or procured to be done, any act, matter or thing whereby the estate hereby intended to be conveyed in and to the said lot of land and premises, with the appurtenances, is, may, or can be changed, charged, encumbered or defeated in any way whatever.

(STATEMENT OF PRIOR MORTGAGES, LIENS OR ENCUMBRANCES)

FOR  
SHERIFF'S DEEDS  
(46:15-6.1)

2010 APR 29 AM 10:30

To Be Recorded With Deed Pursuant to c. 49, P.L. 1968, as amended, and c.225.P.L. 1979

STATE OF NEW JERSEY

SS:

COUNTY OF MORRIS

FOR RECORDER'S USE ONLY

Consideration \$

Realty Transfer Fee \$

Date

By

Date

By

IMPORTANT NOTE:

This form is to be attached to all Sheriff's Deeds not otherwise exempt pursuant to N.J.S.A. 46:15-10, when presented to the County Clerk or Register of Deeds for Recording. One of the following blocks MUST be checked:

☐ NO PRIOR MORTGAGES OR LIENS ARE OUTSTANDING.

☒ PRIOR MORTGAGES OR LIENS OUTSTANDING AND NOT EXTINGUISHED BY THIS SALE ARE AS LISTED IN SECTION 2 BELOW.

(1) PARTY OF LEGAL REPRESENTATIVE

WELLS FARGO BANK, NA AS TRUSTEE UNDER POOLING AND SERVICING AGEEMENT DATED AS OF JULY 1, 2006  
SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2006-FR3 MORTGAGE PASS-THROUGH CERTIFICATES,  
SERIES 2006-FR3

(Plaintiff)

DOLORES DE ALMEIDA  
(Legal Representative for Plaintiff)

("Legal representative" is to be interpreted broadly to include any person actively and responsibly participating in the transaction, such as but not limited to: an attorney representing one of the parties; an attorney representing one of the parties; a closing officer of a title company or lending institution participating in the transaction; a holder of power of attorney from plaintiff.)

(2) CONSIDERATION

Deponent states that, with respect to the deed hereto annexed, there follows the name or names of all mortgagees and other holders of encumbrances constituting "consideration" as defined in the act to which this act is a supplement (C.46:15-5 (c)), to which such sale shall be subject. Such prior mortgages, liens and encumbrances are as follows:

NAME OF SECURED PARTY

CURRENT AMOUNT DUE

2007 SEWER 3<sup>RD</sup> PARTY LIEN SOLD ON 12/3/08, CERT # SS-964

\$663.85

TOTAL AS OF April 26, 2010:

\$663.85

NOTE: The amount of consideration on which the Realty Transfer Fee shall be calculated shall include both the total listed above and the amount bid at the sale as set forth in the Sheriff's Deed.

Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of c.49, P.L. 1968, as amended, and c.225, P.L. 1979.

Subscribed and sworn to before me this  
26th day of April, 2010

Name and address of Deponent

DOLORES DE ALMEIDA  
FEIN, SUCH, KAHN & SHEPARD, P.C.  
7 Century Drive, Suite 201  
Parsippany, New Jersey 07054

A NJ ATTORNEY AT LAW

Nicholas J. Canova  
Attorney-at-Law  
State of New Jersey

AMOUNT BID AT  
SHERIFF'S SALE

\$ 461,000.00

FOR OFFICIAL USE ONLY

This space for use of County Clerk or Register of Deeds

Instrument Number

County

Deed Number

Book

Page

Deed Dated

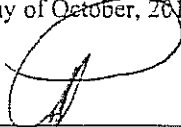
Date Recorded

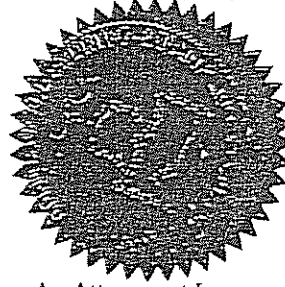
10-28-10

IN WITNESS WHEREOF, I, the said Frank J. Provenzano, Sr. as such Sheriff aforesaid, have hereunto set my hand and seal this Fourth day of October, 2010.

Signed, sealed and delivered  
in the presence of

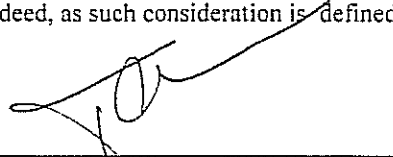
  
\_\_\_\_\_  
Thomas C. Miller

  
\_\_\_\_\_  
Frank J. Provenzano, Sr., Sheriff (L.S.)

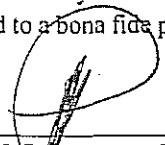


NEW JERSEY, SOMERSET COUNTY, ss.

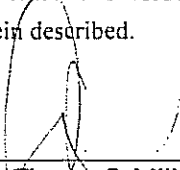
On this Fourth day of October, 2010 before me, the subscriber, An Attorney at Law of New Jersey, personally appeared Frank J. Provenzano, Sr., Sheriff of the County of Somerset aforesaid, who is I am satisfied, the grantor in the within indenture named, and I having first made known to him the contents thereof he did thereupon acknowledge that he sign, sealed and delivered the same as his voluntary act and deed, for the use and purposes therein expressed, and the full and actual consideration paid or to be paid for the transfer of title to realty evidenced by the within deed, as such consideration is defined in P.L. 1963, c 40, Sec. 1 (c) is \$461,000.00.

  
\_\_\_\_\_  
Thomas C. Miller  
An Attorney at Law of New Jersey

I, Frank J. Provenzano, Sr., Sheriff of the County of Somerset, State of New Jersey do solemnly swear that the land and real estate described in this deed made by me to Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of July 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-FR3 Mortgage Pass-Through Certificates, Series 2006-FR3, 4837 Watt Avenue, North Highlands, CA 95660, was by me sold by virtue of a good and subsisting execution, as is therein recited, that the money ordered to be made has not been, to my knowledge or belief, paid or satisfied; that the time and place of the sale of said land and real estate was by me duly advertised as required by law, and that the same was cried off and sold to a bona fide purchaser for the best price that could be obtained.

  
\_\_\_\_\_  
Frank J. Provenzano, Sr., Sheriff

Sworn before me, An Attorney at Law of New Jersey, on this Fourth day of October in the year of our Lord, Two Thousand and Ten. And I do certify that I have examined the above deed mentioned, and do approve the same and order it to be recorded as a good and sufficient conveyance of the lands and real estate therein described.

  
\_\_\_\_\_  
Thomas C. Miller  
An Attorney at Law of New Jersey

Sale No. 9328

# Deed

**Frank J. Provenzano, Sr.**  
Sheriff of Somerset County  
To

Wells Fargo Bank, NA as Trustee under  
Pooling and Servicing Agreement dated as of  
July 1, 2006 Securitized Asset Backed  
Receivables LLC Trust 2006-FR3 Mortgage  
Pass-Through Certificates, Series 2006-FR3  
4837 Watt Avenue  
North Highlands, CA 95660

Consideration \$461,000.00

Dated, October 4, 2010

Received in the Clerk's Office of the  
County of Somerset, on the \_\_\_\_\_ day  
of \_\_\_\_\_, 201\_\_\_\_  
at \_\_\_\_\_ and recorded  
in Book \_\_\_\_\_ of Deeds for  
said County, Page \_\_\_\_\_

Clerk.

Page 6

When recorded return to:  
FEIN, SUCH, KAHN & SHEPARD, P.C.  
COUNSELLORS AT LAW  
7 CENTURY DRIVE  
SUITE 201  
PARSIPPANY, NEW JERSEY 07054

## **EXHIBIT J**



12/21/2010

Process Number: 1842 Suffix: A Date Received: 12/21/2010  
Docket Number: F-22089-08 Division: Chancery

Check Number: 176779 Check Amount: \$54.80 New Fee Amt: \$50.00  
Lawyer on check: FEIN, SUCH, KAHN & SHEPARD, P.C.

Defendant Name: GAGE, THOMAS  
Defendant Street: 51 HILLCREST BLVD  
Defendant Address: WARREN

Service Type: Writ of Possession Instructions: SCHEDULE A, CERTIFICATION  
Municipality: Warren Mileage Amt: \$4.80

Plaintiff Name: WELLS FARGO BANK ☐ Out Of State  
Lawyer Code: Firm: SHARI SEFFER  
Lawyer Street: 7 CENTURY DRIVE, SUITE 201  
Lawyer City: PARSIPPANY State: NJ Zip: 07054

1842 A 12/21/2010 CIVIL PROCESS - UPDATE ATTEMPTS

| Attempt                  | Attempt                  | Attempt                  | Attempt                  | Attempt                  | Attempt                  | Attempt                  | Attempt                  |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Service Date: 1/3/2011 Time: 10:59 Disposition: S Tot Attempts: 1  
Serving Officer: Mospak Andrew How Served Code: A

Defendant: Gage, Thomas  
Relationship To Defendant:  
Address Where Served  
If Different From Defendant

Comments: Defendant given out date of Feb 22 @ 10 am. \*\*\*\*\*Defendant Thomas Gage refused to leave Premises\*\*\*#301

**EXHIBIT K**

**FEIN, SUCH, KAHN & SHEPARD, P.C.**

COUNSELLORS AT LAW

7 CENTURY DRIVE, SUITE 201  
PARSIPPANY, NEW JERSEY 07054  
(973) 538-9300

FACSIMILE (973) 538-8234

[www.feinsuch.com](http://www.feinsuch.com)

August 4, 2011

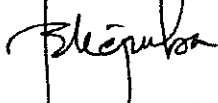
THOMAS GAGE  
LUCIA GAGE  
51 HILLCREST BOULEVARD  
WARREN, NJ 07059

**RE: WELLS FARGO BANK, NA AS TRUSTEE UNDER POOLING AND SERVICING  
AGREEMENT DATED AS OF JULY 1, 2006 SECURITIZED ASSET BACKED  
RECEIVABLES LLC TRUST 2006-FR3 MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2006-FR3  
vs. THOMAS GAGE  
Account No: 325191088  
Our File No: OCE016**

Dear Sir or Madam:

Please be advised that an eviction is scheduled for your house on August 8, 2011. At that time the SHERIFF OF SOMERSET COUNTY and movers will be there to take possession and secure the property. It is suggested that you make sure all your belongings are out of the premises by that date.

Very truly yours,  
FEIN, SUCH, KAHN & SHEPARD



By: Felicia Ekejiuba

Certified Mail, R.R.R. and regular mail

cc: OCWEN FEDERAL BANK, LLC  
Attn: CHINTAN SHUKLA  
SHERIFF OF SOMERSET COUNTY

**EXHIBIT L**

Entered in the records of executions  
issued in the Superior Court Clerk's  
Office

Writ# 002779F11

FEIN, SUCH, KAHN & SHEPARD, PC  
7 Century Drive - Suite 201  
Parsippany, New Jersey 07054  
(973) 538-9300  
Attorneys for Plaintiff  
OCE016

|                                    |   |                              |
|------------------------------------|---|------------------------------|
| WELLS FARGO BANK, NA AS TRUSTEE    | : | SUPERIOR COURT OF NEW JERSEY |
| UNDER POOLING AND SERVICING        | : | CHANCERY DIVISION            |
| AGREEMENT DATED AS OF JULY 1, 2006 | : | SOMERSET COUNTY              |
| SECURITIZED ASSET BACKED           | : |                              |
| RECEIVABLES LLC TRUST 2006-FR3     | : |                              |
| MORTGAGE PASS-THROUGH              | : |                              |
| CERTIFICATES, SERIES 2006-FR3      | : | Docket No. F-22089-08        |
|                                    | : |                              |
| Plaintiff,                         | : |                              |
|                                    | : | Civil Action                 |
| vs                                 | : |                              |
|                                    | : |                              |
| THOMAS GAGE, et al.,               | : |                              |
|                                    | : |                              |
| Defendants.                        | : | WRIT OF POSSESSION           |
|                                    | : |                              |

THE STATE OF NEW JERSEY

to the Sheriff of the County of SOMERSET

GREETINGS:

WHEREAS, on April 13, 2010, by a certain judgment of  
the Superior Court of New Jersey, Chancery Division, SOMERSET  
County, in a cause therein pending, wherein the Plaintiff is  
WELLS FARGO BANK, NA AS TRUSTEE UNDER POOLING AND SERVICING  
AGREEMENT DATED AS OF JULY 1, 2006 SECURITIZED ASSET BACKED  
RECEIVABLES LLC TRUST 2006-FR3 MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2006-FR3 and THOMAS GAGE; LUCIA GAGE;

AMERICAN EXPRESS TRAVEL RELATED SERVICES; JAEGER LUMBER & SUPPLY CO., INC. and SUMMIT MEDICAL GROUP; the Defendants, it was ordered and adjudged that the Plaintiff, its assignee or the successful bidder at Sheriff's Sale recover the possession of the lands and premises, with the appurtenances, described in its Complaint from the following Defendant(s) and all who hold under said Defendant(s): **THOMAS GAGE** and **LUCIA GAGE**, which premises are more particularly set forth on Rider annexed hereto and made a part hereof, the possession of which said land and premises the said Defendants have hitherto unlawfully deprived the said Plaintiff and or its assignee, as appears to us of record.

THEREFORE, you are hereby commanded that, without delay, you cause the said Plaintiff to have possession of the said land premises with the appurtenances thereunto belonging and appertaining; and make known to the said Superior Court of New Jersey aforesaid at Trenton within six months, the manner in which you shall have executed this writ, and have you then and there this writ.

THEREFORE, if upon the Sheriff executing the filed Writ of Possession, the occupant(s) refuse to leave the premises, the Sheriff is commanded to exercise the right to remove said occupant(s) by any force or other means necessary.

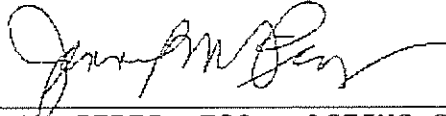
MARY C. JACOBSON, P.J.Ch

WITNESS, the Honorable

, Judge of

the Superior Court of Trenton, aforesaid, this 2nd day of

August, 2011.



JENNIFER M. PEREZ, ESQ., ACTING CLERK  
Jennifer M. Perez, Esq.

Acting Clerk of Superior Court

FEIN SUCH, KAHN & SHEPARD, PC  
Attorneys for Plaintiff

s/ FELICIA EKEJIUBA



FILED Jun 02, 2011

FEIN, SUCH, KAHN & SHEPARD, PC  
 7 Century Drive - Suite 201  
 Parsippany, New Jersey 07054  
 Attorneys for Plaintiff  
 (973) 538-9300  
 OCE016

|                               |   |                                |
|-------------------------------|---|--------------------------------|
| WELLS FARGO BANK, NA AS       | : | SUPERIOR COURT OF NEW JERSEY   |
| TRUSTEE UNDER POOLING AND     | : | CHANCERY DIVISION:             |
| SERVICING AGREEMENT DATED AS  | : | SOMERSET COUNTY                |
| OF JULY 1, 2006 SECURITIZED   | : |                                |
| ASSET BACKED RECEIVABLES LLC  | : |                                |
| TRUST 2006-FR3 MORTGAGE PASS- | : |                                |
| THROUGH CERTIFICATES, SERIES  | : | Docket No. F-22089-08          |
| 2006-FR3,                     | : |                                |
|                               | : |                                |
| Plaintiff,                    | : | Civil Action                   |
|                               | : |                                |
| -v-                           | : |                                |
|                               | : |                                |
| THOMAS GAGE, et al.,          | : |                                |
|                               | : |                                |
| Defendants.                   | : | CERTIFICATION TO SUPPORT       |
|                               | : | ISSUANCE OF WRIT OF POSSESSION |

FELICIA EKEJIUBA, ESQ., does hereby certify:

1. I am an Attorney-at-Law of the State of New Jersey and an associate of the law firm of FEIN, SUCH, KAHN & SHEPARD, PC, attorneys for WELLS FARGO BANK, NA AS TRUSTEE UNDER POOLING AND SERVICING AGREEMENT DATED AS OF JULY 1, 2006 SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2006-FR3 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-FR3, the successful bidder at Sheriff's Sale, which took place on July 6, 2010.

2. This certification is given to support the issuance of the Writ of Possession so that the Court will issue the Writ of Possession and the Sheriff of SOMERSET County may evict the occupants at the mortgaged premises who are not tenants protected by the provisions of the New Jersey Tenants Anti-Eviction Statute



(NJSA 2A: 18-61.1 et seq.)

3. The premises for which the execution of the Writ of Possession is requested in the above matter is as follows:

51 HILLCREST BOULEVARD

WARREN, NJ 07059

4. The following entities are not protected by the provisions of the NJ tenant anti-eviction statute, as enunciated in the N.J. Supreme Court case of Chase vs. Josephson but are the former owners or the families of the former owners who are not protected by the statute:

THOMAS GAGE

LUCIA GAGE

5. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

s/ Felicia Ekejiuba, Esq.

DATED: June 1, 2011

EXHIBIT "A"

All that certain tract or parcel of land and premises situate,  
lying and being in the Township of Warren, County of Somerset and  
State of New Jersey.

Also known as Tax Lot 18 in Block 88.01 on the Tax Assessment map  
of the Township of Warren.

Here commonly known as 51 HILLCREST BLVD, WARREN, NJ, 07059.

RECORD Map and designated as Lot 18 as shown on map entitled "Map of Property situated in Warren  
Township, Somerset County, New Jersey, Property of the State Lottery and Improvement  
Company" filed on August 1, 1979 as Map No. 14-2.

FOR INFORMATIONAL PURPOSES ONLY: Also known as Lot 18 in Block 88.01 on the Township of Warren  
Tax Map.

**EXHIBIT M**

|                    |                                 |               |                            |                |                                       |
|--------------------|---------------------------------|---------------|----------------------------|----------------|---------------------------------------|
| Process Number:    | 972                             | Suffix:       | A                          | Date Received: | 8/5/2011                              |
| Docket Number:     | F-22089-08                      | Division:     | Chancery                   |                |                                       |
| Check Number:      | 188776                          | Check Amount: | \$54.80                    | New Fee Amt:   | \$0.00                                |
| Lawyer on check:   | FEIN, SUCH, KAHN & SHEPARD, PC  |               |                            |                |                                       |
| Defendant Name:    | GAGE, THOMAS                    |               |                            |                |                                       |
| Defendant Street:  | 51 HILLCREST BOULEVARD          |               |                            |                |                                       |
| Defendant Address: | WARREN                          |               |                            |                |                                       |
| Service Type:      | Writ of Possession              | Instructions: | CERTIFICATION              |                |                                       |
| Municipality:      | Warren                          | Mileage Amt:  | \$0.00                     |                |                                       |
| Plaintiff Name:    | WELLS FARGO BANK, NA AS TRUSTEE |               |                            |                | <input type="checkbox"/> Out Of State |
| Lawyer Code:       |                                 | Firm:         | FEIN, SUCH, KAHN & SHEPARD |                |                                       |
| Lawyer Street:     | 7 CENTURY DRIVE, SUITE 201      |               |                            |                |                                       |
| Lawyer City:       | PARSIPPANY                      | State:        | NJ                         | Zip:           | 07054                                 |

|                             |                                                                                                   |                          |                                 |                          |                          |                          |                          |
|-----------------------------|---------------------------------------------------------------------------------------------------|--------------------------|---------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 972                         | A                                                                                                 | 8/5/2011                 | CIVIL PROCESS - UPDATE ATTEMPTS |                          |                          |                          |                          |
| Attempt                     | Attempt                                                                                           | Attempt                  | Attempt                         | Attempt                  | Attempt                  | Attempt                  | Attempt                  |
| <input type="checkbox"/>    | <input type="checkbox"/>                                                                          | <input type="checkbox"/> | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Service Date:               | 8/8/2011                                                                                          | Time:                    | 10:00                           | Disposition:             | S                        | Tot Attempts:            | 1                        |
| Serving Officer             | DeRosa                                                                                            | Michael                  | How Served Code:                | A                        |                          |                          |                          |
| Defendant:                  | Gage, Thomas                                                                                      |                          |                                 |                          |                          |                          |                          |
| Relationship To Defendant:  |                                                                                                   |                          |                                 |                          |                          |                          |                          |
| Address Where Served        |                                                                                                   |                          |                                 |                          |                          |                          |                          |
| If Different From Defendant |                                                                                                   |                          |                                 |                          |                          |                          |                          |
| Comments:                   | Defendants vacated property on above date and time. All defendants property removed from premises |                          |                                 |                          |                          |                          |                          |